

From: Moreno
To: Microsoft ATR
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Subject: Microsoft's tentative settlement

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I'm writing to let you know of my disappointment in Microsoft's tentative settlement. From what I have read, how could the government agree to a settlement that allows and gives Microsoft an additional 14,000 new corporate clients. By giving cash, software and hardware (none of which hurt them except the cash), we give Microsoft clients to sell their future products to and over 500,000 future customer for free (the students). We can see how Microsoft works with their .Net plan and Windows XP (Microsoft all the time and only Microsoft services), get them hooked, then reel them in.

When Dell donates computers to schools and Universities, it's better than buying advertising time on television because each and every student gets continuous advertisement. In addition to this, Dell guarantees continuing revenues of services and products, not to mention tax breaks. School think is cheaper, but it isn't because they spent millions of dollars replacing a system they already use, millions more training, and millions more on maintenance. But since schools are very political, they do it and make some excuse-mostly their cost saving of buying new equipment. All false.

This will apply to Microsoft as well, they will have continuing crops of new clients each and every year. And as for the Education market that Apple currently holds (now as low as 30%), it will shrink even more. How does this change Microsoft's monopoly status? It doesn't.

I want to thank you for standing up to the governments tentative agreement and refusal to settle with Microsoft. To really make any settlement work we need to adjust the playing field not give Microsoft a large playing field. Here are my suggestions.

1. Have Microsoft donate 1.5 billion dollars to some of the poorest schools to purchase computers from Microsoft's competitors. That means that schools should not be purchasing and/or replacing existing non Windows machines. They should be purchasing non Windows machines and creating infrastructure for non Windows networks. This could be Linux, Unix, Mac, or what ever, but there should be choice away from Microsoft solutions.

2. Using Microsoft's dominance of 98% and the industry's NGP a formula should be formulated to allow annual tax levies against them. These taxes can then be divided into three parts.

One, schools should be given continued support to continue non Windows solutions. In other words, schools should be getting moneys every year to continue to purchase non Microsoft software and products. This will allow schools to seek out products from Microsoft's competitors and allow for competition.

Second, moneys should be given to Microsoft's competitors directly to advertise and allow people to see choice.

Linux, for example, has grown in spite of Microsoft because people want choice, but most won't see it at all. Most people will only see Windows because Microsoft can easily purchase and buy advertisement time. So how are company that produce other operating system expected to survive? BeOS just died, Mac is loosing ground, how much longer can the others survive? Some will argue about setting a standard OS. Why, so that killer computer virus kills all the computers at once? We need to have choice, but if these small OS don't get larger, application companies won't make new products.

Since Microsoft got so big by eating up small companies, it makes sense to give them a chance for people to see them and not let Microsoft bury them with Billions of dollars in advertisements.

Third, give some of the money to companies that make Windows products that compete directly with other Microsoft products. Again for advertisement, such as Corel. It's not that Microsoft makes the best products, it's that people just don't know that other products exist, unless they're in the business. The fact that other companies exist at all itself says a lot about how people really don't want Microsoft products. But with all the advertisement and money spent by Microsoft to dominate, the general public doesn't really know and they continue to feed the big monster making it bigger and bigger. Microsoft and others will then claim it's what the people want, no I don't. Most new Windows based computers already come with Microsoft's Office, that's really going to make easy for people to buy competing products isn't it?

The percentages and moneys is something the could be worked out, we don't want to destroy Microsoft only hurt them and increase the amount of choice out there. As Microsoft's dominance percentage decreases, their penalty should be decrease and eventually eliminated.

As we can see in Microsoft's new Windows XP, XBox, and WebTV, they've made so much money on eliminating choice that they can began to expand their dominance into other fields. They will survive.

Now by giving them 14,000 new clients, 500,000 future customers year, and free advertising and calling that a punishment, it's just not right.

Please continue to fight for the general public and for freedom of choice.

Thank you.